PATENT
Attorney Docket No. 3804.0101-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Pascale BRIAND *et al.*	)	
	)	
Continuation of	)	
Serial No. 09/087,156	)	Prior Group Art Unit: 1631
	)	
Filed: November 12, 2001	)	Prior Examiner: J. Brusca
	)	
For: RECOMBINANT ADENOVIRUSES AND USE THEREOF IN GENE GENE THERAPY FOR TREATING EYE DISEASES	)	

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Before examining this application on the merits, kindly enter the following amendment.

In the Claims:

Please cancel claims 1-13 and enter the following claims:

--14. A method for expressing a gene in at least one eye cell, comprising:

a) administering to at least one eye cell a defective recombinant adenovirus comprising an inserted gene, wherein the inserted gene comprises at least one sequence permitting its expression in the eye cell;

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

b) infecting the at least one eye cell with the defective recombinant adenovirus; and

c) expressing the gene.

15. The method of claim 14, wherein the defective recombinant adenovirus is a type AD 2 adenovirus.

16. The method of claim 14, wherein the defective recombinant adenovirus is a type AD 5 adenovirus.

17. The method of claim 14, wherein the gene encodes a protein.

18. The method of claim 17, wherein the protein is growth factor, cytokine, neurotrophin, regulatory factor, enzyme, interferon, or tumor necrosis factor.

19. The method of claim 18, wherein the protein is ornithine aminotransferase, rhodopsin, RDS peripherin, tyrosinase, mitochondrial NDI, the β subunit of cGMP phosphodiesterase, rab geranyl transferase, basic fibroblast growth factor, or interleukin-8.

20. The method of claim 14, wherein the gene encodes an antisense RNA molecule.

21. The method of claim 14, wherein the defective recombinant adenovirus has a genome lacking at least one region needed to replicate in the eye cell.

22. The method of 14, wherein the defective recombinant adenovirus is administered by subretinal injection or intravitreous injection.

23. The method of claim 22, wherein the subretinal injection is carried out in the vitreous, anterior chamber, or the retrobulbar space.

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24. The method of claim 14, there the at least one eye cell is a corneal endothelium cell, photoreceptor cell, bipolar cell, ganglion cell, or oculomotor cell.

25. The method of claim 14, wherein the sequence permitting expression of the gene is a Rous Sarcoma Virus promoter, E1A promoter, or MLP promoter.

26. The method according to claim 21, wherein the at least one region needed to replicate in the eye cell is an E1A or E1B region.--

REMARKS

Upon entry of this Preliminary Amendment, claims 14-26 will be pending in the application. Support for these claims is found throughout the specification, See, for example, pages 5-11.

Applicants do not believe that entry of this Preliminary Amendment requires payment of a fee, or an extension of time. However, please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: _____
Steven P. O'Connor
Reg. No. 41, 225

Dated: November 12, 2001

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000